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**SURFACE TRANSPORTATION BOARD
SECTION OF ENVIRONMENTAL ANALYSIS**

POST ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-994 (Sub-No. 0X)

November 7, 2006

ABANDONMENT TYPE

The time for comments on the Environmental Assessment (EA) has expired in this:

() Notice of Exemption (X) Petition for Exemption () Regulated Abandonment

() **NO NEW COMMENTS WERE RECEIVED**

(X) **NEW COMMENTS WERE RECEIVED**

As explained in detail below, SEA recommends that the Section 106 condition imposed by the Board in this proceeding be removed and that three salvage conditions be imposed

The decision in this proceeding, served October 11, 2006, imposed a condition requiring the railroad to retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right of way that are eligible for listing or listed in the National Register of Historic Places until the section 106 process of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f, has been completed.

Following issuance of the Board decision approving the abandonment subject to the Section 106 condition, SEA received a letter dated October 13, 2006, from the Washington Department of Archaeology & Historic Preservation (SHPO). In this letter, the SHPO explains that Kettle Falls International Railway, LLC conducted a Historic Structures Report which concluded that, based on additional information, no historic properties would be affected by the abandonment and subsequent salvage of the rail line providing that certain stipulations set forth in the report were adhered to by the railroad. The SHPO concurs with the report's conclusion.

Consequently, SEA recommends that the Section 106 condition be removed and the following three salvage conditions (which are based on the stipulations in the railroad's Historic Structures Report) be imposed:

- 1) Kettle Falls International Railway, LLC shall conduct all salvage activities on the raised bed of the current rail alignment;**
- 2) While conducting salvage activities on the rail line, Kettle Falls International Railway, LLC shall avoid all disturbances to archaeological resources; and**
- 3) Kettle Falls International Railway, LLC shall access to the rail line to conduct salvage activities only at existing grade crossings.**

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